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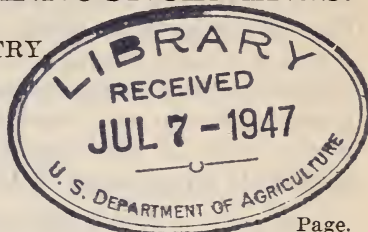
United States Department of Agriculture.

SERVICE AND REGULATORY ANNOUNCEMENTS.

BUREAU OF CHEMISTRY

No. 28.

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375. CORN-MINT OIL.

Corn mint, field mint, is the leaves and flowering tops of *Mentha arvensis* L.

Corn-mint oil, field-mint oil, is the volatile oil obtained from corn mint. When its normal composition is changed by partial dementholization or otherwise, it should be clearly labeled to indicate that fact.

Corn-mint oil is not recognized in the United States Pharmacopœia or National Formulary and should not be substituted for the recognized oil of peppermint, derived from *Mentha piperita*, in pharmacopœial and formulary preparations without appropriate label declaration. Foods, beverages, and confections flavored with corn-mint oil should not be designated by such unmodified terms as "mint" or "mint flavored."

Shipments of corn-mint oil offered for import will be permitted entry if the product is properly invoiced, labeled, and sold, and when proper information is given as to its ultimate use, in accordance with

the usual requirement made for substitutes, outlined in item 275, page 96, Service and Regulatory Announcements, Chemistry 23.

376. VERATRUM ROOT.

An extended investigation of commercial lots of *Veratrum viride* Aiton (American or green hellebore) and *Veratrum album* (white or European hellebore) has shown a wide variation in composition and in many instances excessive quantities of total ash and of acid-insoluble ash. The quantity of alkaloids found ranged from 1 to over 2 per cent, the quantity of total ash from 2.9 to 19 per cent, and that of the acid-insoluble ash from 0.5 to over 15 per cent.

On the basis of the data obtained, the bureau is of the opinion that veratrum root from either source when intended for use as a drug should contain not more than 8 per cent of total ash nor more than 4 per cent of acid-insoluble ash, and not less than 1 per cent of alkaloids when assayed by the following method:

Add 150 c. c. of chloroform-ether (equal parts) to a 15-gram sample (No. 40 powder) in a 250 c. c. flask, and allow it to stand 10 minutes. Add 10 c. c. of 10 per cent ammonia and shake at frequent intervals. At the end of 60 minutes add 10 c. c. of water, shake thoroughly, and allow the crude material to settle. Decant the liquid through a pledget of cotton into a flask containing about $\frac{1}{4}$ gram of calcined magnesia. Shake the mixture, filter into a 100 c. c. graduated cylinder, and transfer 80 c. c. of the filtrate (considered equivalent to 8 grams of the drug) to a separatory funnel. During the entire operation care should be taken to avoid any loss of the liquid from evaporation. Shake out the filtrate in the separatory funnel four times, using 20, 20, 10, and 10 c. c. of 10 per cent acetic acid, respectively. Collect the extractions in a separatory funnel, make alkaline with 10 per cent ammonia, and shake out four times, using 20, 20, 10, and 10 c. c. of chloroform-ether, respectively. Collect the extractions in a tared beaker, evaporate by passing a slow current of air over the liquid, and dry to practically constant weight at 100° C., making the weighings at 30-minute intervals.

377. DECLARATION OF NET WEIGHT ON WRAPPED STICK CANDY AND CANDY BARS.

Sticks or bars of candy weighing more than $\frac{1}{2}$ avoirdupois ounce, wrapped in foil, waxed paper, and the like, are regarded as food in package form and should bear a plain and conspicuous statement of net weight on the outside of the wrapper.

This announcement supplements item 153, page 27, Service and Regulatory Announcements, Chemistry 16, which deals with the marking of packages of "count" goods as received by the retailer through trade channels, but does not relate to the question of marking the individual pieces.

378. MARKING CRANBERRIES IN BOXES WITH STATEMENT OF NET VOLUME.

The barrel is the unit of measure long recognized in traffic in cranberries. By act of Congress approved March 4, 1915, the standard barrel for cranberries was established and its dimensions were defined. Investigation has shown that the use of boxes so constructed as to permit ventilation is advantageous in retarding spoilage and making possible the delivery of a better product to consumers.

Inquiries have been received concerning the propriety of marking cranberry boxes in terms of the standard cranberry barrel rather than in terms of the bushel. In view of the established custom of selling this commodity by the barrel, it is the bureau's opinion that declaration in terms of the standard cranberry barrel is the more informing. There will therefore be no objection to such

declarations, provided the boxes actually contain the quantity of fruit indicated.

379. DECLARATION OF NET WEIGHT ON CANNED CLAMS AND CANNED OYSTERS.

Because the liquid packing medium in canned clams and canned oysters has a certain food value and is ordinarily utilized as food, no objection will be made to marking the net weight of these products in terms of total weight, liquid included. When such markings are made declarations of drained or cut-out weight will not be required, but in all cases these weights should equal or exceed those specified in opinions 2 and 3, pages 1 and 2, Service and Regulatory Announcements, Chemistry 1.

Opinion 88, page 688, Service and Regulatory Announcements, Chemistry 9, is modified accordingly.

380. WEIGHTS OF SPINACH IN CANS OF VARIOUS SIZES.

The cut-out weights for canned spinach announced in item 320, page 118, Service and Regulatory Announcements, Chemistry 24, and amended by item 365, page 31, Service and Regulatory Announcements, Chemistry 27, are further amended as follows:

| | |
|--|------------------------------------|
| No. 2: $3\frac{1}{8}$ by $4\frac{5}{8}$ inch sanitary and $3\frac{3}{8}$ by $4\frac{1}{8}$ inch hole and cap----- | 13 ounces. |
| No. $2\frac{1}{2}$: $4\frac{1}{8}$ by $4\frac{1}{8}$ inch sanitary and 4 by $4\frac{3}{4}$ inch hole and cap----- | (19 ounces) 1 pound, 3 ounces. |
| No. 3: $4\frac{1}{4}$ by $4\frac{7}{8}$ inch sanitary and $4\frac{1}{8}$ by $4\frac{3}{8}$ inch hole and cap----- | (21.5 ounces) 1 pound, 5.5 ounces. |
| No. 10: $6\frac{3}{8}$ by 7 inch sanitary and $6\frac{1}{4}$ by $6\frac{3}{4}$ inch hole and cap----- | (66 ounces) 4 pounds, 2 ounces. |

In other respects item 320 remains unchanged.

381. RETURNED SPOILED FOODS.

The practice has long existed in the distributing trade of securing a refund for foods that become spoiled, particularly canned foods, by returning them to the sources from which they were obtained. Frequently this material finds its way back into trade channels and is again offered for consumption.

Spoiled foods are potentially dangerous to the consumer and should be destroyed immediately on discovery of their condition. It is considered necessary to the protection of the public that hereafter seizure proceedings be instituted against interstate shipments of decomposed foods, even though such shipments be made with the sole intent of securing a refund for spoilage. The shipper of such foods will be liable to criminal prosecution.

382. LABELING BOTTLED BEVERAGES.

In the administration of the Federal Food and Drugs Act as it applies to bottled soda water and similar beverages, all wording, pictorial designs, and devices of any kind, whether blown in the glass or appearing on the "crown," cap, or paper label, are regarded as part of the labeling. No bottled beverage is deemed misbranded if all the information required by law is plainly and conspicuously set forth, in proximity to the name of the article, so as to be readily observable, through any one of the methods of labeling or through a combination of two or more of them, provided no false, misleading, or deceptive statement, design, or device appears. Ordinarily statements blown in the bottle or appearing on the "crown" or cap

are not conspicuous. This is particularly true when they are accompanied by a paper label. Therefore all required statements should appear on the paper label when such label is used.

383. ALIMENTARY PASTES.

The definitions and standards published in Food Inspection Decision 171 and Office of the Secretary Circular 136 for macaroni, spaghetti, vermicelli, flour macaroni, flour spaghetti, and flour vermicelli are under reconsideration by the department. Pending the announcement of revised definitions and standards, the bureau will not object to the labeling of alimentary pastes made from hard wheat flour as "macaroni," "spaghetti," "vermicelli," as the case may be, without the qualifying word "flour," provided the flour is of a grade equal to or better than a straight. Pastes made from flour of a grade lower than a straight or from semolina of a corresponding low grade are not entitled to the unqualified designations "macaroni," "spaghetti," "vermicelli." They should be labeled with some term set forth conspicuously as a part of the designation showing their true character.

384. PHOSPHATE IN FLOUR.

Flour containing added phosphate should be plainly and conspicuously labeled to show this fact. The declaration should be made in direct connection with the principal label and in type of such size and color as to be readily observable.

385. LABELING ALKALI-TREATED COCOA.

Food Inspection Decision 136 is out of print and will not be re-issued because the definitions and standards for cacao products given therein have been superseded. The department's attitude toward the labeling of alkali-treated cocoa expressed therein has not been changed in its essentials and is here restated.

Cocoa treated with an alkali or an alkaline salt, as in the so-called Dutch process, should be labeled with a statement of the presence of added mineral ingredients. Cocoa is not soluble and when so treated shows essentially the same lack of solubility. It is, therefore, improper to describe alkali-treated cocoa as "soluble." The word "instant," which may be construed to imply solubility, is subject to the same objection.

386. GREEN LIMA BEANS.

In the labeling of canned lima beans the term "green lima beans" should be reserved for fresh beans that are green in color. This term indicates not only the maturity the vegetable has attained but also its color. It should not be used if an appreciable quantity of white beans is present, even though the white beans be fresh.

387. "MAINE STYLE" CANNED CORN.

The term "Maine style" has been used for a number of years on the labels of canned corn packed in certain sections as a means of distinguishing the crushed grain from the whole or cut grain type. Complaints that this expression when used on canned corn packed in States other than Maine is misleading led to investigations in several consuming sections which showed that so-called Maine-style corn is furnished by dealers in many localities when request is made for Maine corn, and that in such sections the expression is interpreted as having a geographical significance. Canned corn packed outside

the State of Maine and labeled "Maine style" will therefore be regarded as misbranded under the Federal Food and Drugs Act. There will be no objection to the use of any truthful descriptive statement intended to designate the character of the pack.

388. "PETIT POIS" PEAS.

Inquiries have been made concerning the propriety of labeling domestic canned peas as "petit pois" peas.

It is the bureau's opinion that the term "petit pois" has lost such geographic significance as it may have had. Peas canned in the United States may therefore be labeled with this term, provided they are of the size of the peas that have been imported from France under this labeling—that is, the No. 1 sieve size.

389. LABELING SOAKED DRY PEAS AND LIMA BEANS.

It has been found that the wording employed on canned soaked dry peas has frequently created the impression that the peas were canned in the succulent state and that this impression has been furthered by the pictorial designs employed, such as a vignette showing a dish of green-colored, succulent-appearing peas. This product should be labeled "soaked dry peas," or with an equivalent expression, in type of equal size, on a uniform background, in order to differentiate it clearly from succulent peas. No pictorial design which would contribute to the impression that the product is canned succulent peas should be employed. Opinion 18, page 111, Service and Regulatory Announcements, Chemistry 3, and opinion 42, page 313, Service and Regulatory Announcements, Chemistry 5, are amended accordingly.

This announcement is equally applicable to the labeling of canned soaked dry lima beans.

390. NOTICE TO PACKERS OF TUNA AND SIMILAR FISH.

Item 346, page 18, Service and Regulatory Announcements, Chemistry 26, is hereby amended to permit the use of the name "tuna," unqualified, in the labeling of *Gymnosarda pelamis* (*Euthynnus pelamis* (Starks)), described in item 346 under the common name "striped tuna." Objection will not be taken to labeling *Gymnosarda pelamis* packed in the so-called Italian style as "tonno."

391. FLAVORING EXTRACTS AND FLAVORS.

The term "extract" implies an alcoholic product. Flavoring products prepared with vehicles other than alcohol should therefore not be labeled with the term "extract." The Federal Food and Drugs Act does not require a statement of the proportion of alcohol on the labels of flavoring extracts used exclusively for food purposes, although certain State laws make this requirement. Extracts sold or used for any medicinal purpose should have the proportion of alcohol plainly stated on the label.

Nonalcoholic flavoring products may be labeled with the term "flavor," provided they contain the same kinds and proportions of flavoring ingredients as are required by the department's definitions and standards for extracts, and provided further they are labeled with some term in direct connection with their names to show that the vehicle is not alcohol. Because flavoring products possess little food value, if any, and because flavors prepared with food oils are likely to become rancid, no objection will be made to

the use of highly refined mineral oil as a vehicle for nonalcoholic flavors, provided the oil contains no impurities that might render the product harmful to health.

Vanillin coumarin preparations colored with caramel and other products which imitate vanilla extract or nonalcoholic vanilla flavor should be plainly labeled "imitation vanilla extract" or "imitation nonalcoholic vanilla flavor," as the case may be, and the ingredients which give them their characteristics as imitations should be plainly declared. This declaration may be specific, such as "vanillin coumarin and caramel," or it may be simply "artificial flavor and color." The names "artificial vanilla," "synthetic vanilla," "vanilla substitute," and coined words such as "vanillos" should not be used for these imitation preparations, but they may be designated by fanciful trade names, provided the names do not simulate those of the genuine products and are otherwise incapable of producing a false or misleading impression, and provided further such fanciful names are followed by comparably conspicuous declarations that the articles are imitations, together with the other information required by the law.

The principle expressed with respect to the labeling of imitation vanilla extract and flavor applies to the labeling of other imitation flavoring products, such as those made from synthetic esters and aldehydes.

The character of imitation extracts and flavors should be such that they will substantially take the place of the products they imitate. Beverages and other foods in which imitation flavors are used should not be labeled to convey the impression that they are prepared with genuine flavors.

392. LABELING MUSTARD PREPARATIONS.

Mustard preparations of the general nature of prepared mustard labeled "prepared mustard," "mustard dressing," or with similar designations are deemed adulterated and misbranded if they contain added mustard bran. Where the quantity of added bran does not predominate in the total mustard product present and the preparation otherwise complies with the department's definition and standard for prepared mustard, no objection will be made to the designations "prepared mustard and mustard bran," "mustard and mustard bran dressing," or equivalent expressions, the words "mustard bran" forming a part of the designation and being in type of size and prominence comparable with that of the other words in the name. The name "prepared mustard" or a synonym followed by a list of ingredients including mustard bran is not regarded as proper.

Where the mustard product present is essentially mustard bran the article is an imitation prepared mustard and should be labeled as such, together with a declaration of the presence of mustard bran and such other ingredients as may be responsible for imparting to the article its characteristics as an imitation.

393. SALAD OIL.

The use of wholesome vegetable oils other than olive oil for salad purposes has become widespread. The term "salad oil" is no longer indicative of olive oil exclusively. In the absence of any statement, design, or device on the labels conveying directly or by implication any false or misleading impression concerning the origin or charac-

teristics of the product, no objection will be made to the designation of edible vegetable oils other than olive oil as "salad oil," with or without qualification.

Opinion 10, page 23, Service and Regulatory Announcements, Chemistry 2, is hereby revoked.

394. LABELING VINEGAR MADE FROM EVAPORATED APPLES.

The term "apple vinegar" is very generally understood by the consuming public to mean a product made by alcoholic and subsequent acetous fermentations of the juice of fresh apples, and is therefore regarded as synonymous with the terms "cider vinegar" and "apple cider vinegar." This position has been taken in a recent court decision. A vinegar made from evaporated apples or evaporated apple products will therefore be considered misbranded if labeled "apple vinegar" without further qualification. Such a product if properly made is a pure and wholesome article of food, but it should be sold under a label clearly distinguishing it from the product made from the juice of fresh apples, such, for example, as "evaporated-apple vinegar."

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